

1905-054  
Lee Co

Chancery Causes: J. O. Woodward vs. A. M. Ely &c

CA-Debt  
T-Property

-Deed

To the Honorable H.A.W. Skeen, Judge of the Circuit Court of  
Lee County, Virginia:

Humbly Complaining, your Complainant J.O. Woodward, would respectfully represent and show unto your honor, that one A.M. Ely and Thos. S. Ely, are justly indebted to him in the sum of \$67.15, with interest thereon from the 2<sup>nd</sup> day of October 1901 till paid, as evidence of which, said defendants on the 22<sup>nd</sup> day of Sept. 1901, executed to Complainant, their certain writing, promissory note, or bond, which is here filed as an exhibit marked "A", and as <sup>well</sup> to be treated and set out, as part of this bill, <sup>as fully</sup> as if copied in full, said defendants waived their homestead exemption as to the payment of said debt, and your Complainant alleges that each and every part of said debt is still due and owing to him, and that no part of it has been paid.

Your complainant alleges that A.M. Ely has left the State of Virginia, and is now a non-resident of the State of Virginia, residing in the State of Texas.

Your Complainant alleges that A.M. Ely is seized and possessed of a tract of land situated in Lee County Virginia, about 15 miles west of Jonesville on the Yellow Branch, which has lately been conveyed to him by his Father Thos. S. Ely, a copy of said deed is here filed marked "Deed" and prayed to be treated as part of this bill.

Your Complainant would further show unto your honor that one Wm. A. Crockett administrator of M.L. <sup>Ely</sup> Dec, has obtained in the Circuit Court of Lee County a Judgment against the said A.M. Ely, for \$145. with interest from the 1<sup>st</sup> day of October 1889, till paid and \$8. 54, costs, (subject to the following credits, June 25. 1890, \$6.20 Dec. 25 '1890, \$25.00, July 6 '1893, \$55.00, Nov. 14 '1904, \$100.00, leaving a balance on said judgment due at this date of about \$70.00,) which Judgment has been docketed in the Judgment lien docket, in the County Clerk's office of Lee County and is a valid subsisting lien, on said lands owned by A.M. Ely aforesaid and described. Your Complainant alleges that there is no other lien against said land, a copy of said Judgment, and docketing are here filed marked "2" & "3", and prayed to be treated as part of this bill.



Your Complainant alleges that he has a right to subject the said real estate to the payment of his debt aforesaid, by process of foreign attachment, subject to the Judgment lien of Wm.A.Crockett Admr,&c.aforesaid, and to obtain that relief is the object of this bill.

Your Complainant alleges that the defendants justly <sup>owe</sup> him the sum of \$67.15 with interest from the 2'day of Oct.1901, that it is just due and unpaid, that he ought to recover at the least the aforesaid amount; that A.M.Ely is a non-resident of the State of Virginia and has estate in this, Lee County Va. which is subject to attachment.

Your Complainant prays that A.M.Ely and Thos.S.Ely be made parties defendant to this bill and answer the same ~~on oath~~ but not on oath, that being waived, that order of publication be entered posted and published against A.M.Ely, that process of foreign attachment be issued; and levied on his said real estate situated in Lee County and State of Va., and upon a hearing of the same a decree be entered against the defendants for the amount of your complainant's said debt aforesaid, and costs of this suit and that said land be decreed to be sold to pay the same as they will not rent for enough in five years to pay your complainant's debt and W.A.Crockett's Judgement, and if in any <sup>way</sup> mistaken in his special prayer, he prays for all other and further relief generally, that the nature of his case may require or to equity seem meet and he will ever pray &c.

J. O. Woodward, P.Q.  
S. M. H. Ely,

Virginia, Lee County, to wit:

I, H.C.T.Ewing, Clerk, do hereby, certify that J.O.Woodward personally appeared before me and made oath that the statements made in the foregoing bill are true to the best of his knowledge and belief.

Given under my hand, this Feb.3rd'1905.

H.C.T. Ewing, Clerk.



THIS DEED made this 2nd day of December 1904 by and between Thos. S. Ely of the one part and A. Mc. Ely of the other part all of the County Lee and State of Virginia, WITNESSETH That for and in consideration of the sum of One Thousand dollar in hand paid or his part of my real Estate the receipt of which is hereby payment is Herby acknowledged which payment is the amount of a Farm bought from C. F. Thompson he Having purchased the same from G. W. Bungardner the said Thos. S. Ely do hereby grant and convey with covenants of genal warranty unto the said A. Mc Ely a centrain tract or parcell of land lying and being in Lee County, Virginia near Yellow Branch and bounded as followes to wit Beginning on a white oak on the McGradie line and thence S. 53 E. 52 poles to a Hickory white oak and gum thence S. 30 E 65 1/2 poles to a white oak thence S. 20 W. 60 1/2 poles to a Hickory corner to the Poslser Dabusk land thence S. 53 E. 15 poles to two dogwoods one pole N. West of a corner of said Debusk land thence S. 46 W. 53 1/4 poles to a stone corner thence N. 38 1/2 W. 100 1/3 poles to a walnut thence S. 66 W. 38 1/2 poles to a Hickory & Spanish oak in John Dabusk line thence N. 32 W. 30 poles leaving F. Bungardner line to a white oak and Hickory Draper Houndshells corner thence N. 41 E. 17 poles to a dead gum bush & two small maples thence N. 25 W. 18 poles to two black oaks states corner thence contining the same corse N. 25 W 20 poles leaving stats line to a black oak and sourwood boath small bushes thence N. 45 3/4 E. 55 poles to two dogwoods thinsse S. 6 1/2 E. 40 poles to a black oak and dogwood dogwood now gone thence N. 40 1/2 E poles to the Beginning. To have and to hold the said tract or parsel of land herby conveyed together with the appertnances thereunto belonging to the said A. Mc. Ely and his hirs forever.

Witness the fowlering signature and seal.

Thos. S. Ely (Seal)

Virginia, Lee County, to-wit:

I, C. B. Woodward, A Justice of the Peace of the County and State aforesaid do hereby certify that Thos. S. Ely personly appeared before me in my County and acknowledged the within deed bearing



date December 2, 1904.

Given under my hand this December 30, 1904.

C. B. Woodward, J. P.

Virginia, Lee County, to-wit:

In the Clerk's Office of Lee County, on this the 4th day of January, 1905. This deed was presented, and together with the certificate annexed, admitted to record.

Teste: H. C. T. Ewing, Clerk.

A Copy-Teste:

H. C. T. Ewing,  
Clerk.



Powell's Valley Bank,  
JONESVILLE, VIRGINIA.

\$ 67 <sup>15</sup>/<sub>100</sub>

Jonesville, Va., Sep. 22, 1901 —, 190

Two days after date we promise to pay to the order of  
J. L. Woodward, Sixty seven and <sup>15</sup>/<sub>100</sub>  
Dollars.

Negotiable and payable, without offset, at POWELL'S VALLEY BANK, Jonesville, Va., for value received, and we  
waive the benefit of our homestead exemptions as to the debt evidenced by this note.

Given under our hands <sup>and Seal</sup> the date above written.

The undersigned principals, and the endorsers, sureties, and guarantors hereby waive presentment for payment, demand, protest and notice  
of protest or non-payment of this note and diligence in bringing suit against any party hereto, and agree that time of payment may be extended  
without notice or other consent and without effecting their liability.

entire from date.

Due Oct. 2, 1901

A. W. Ely. Seal  
J. L. Woodward. Seal

We, as endorsers of this note, waive demand,  
notice, protest, all exemption laws, and guaran-  
tee payment of same, and acknowledge that we  
sign with a full understanding of this endorsement.

Amely-  
67.15-



In the Clerk's Office of the Circuit Court of the County of  
Lee, Feb. 2<sup>nd</sup>, 1905. 189

J. O. Woodward. Plff.  
against  
A. M. Ely and,  
Thos. S. Ely.

In. Chancery -

This day J. O. Woodward made oath before me, H. C. L. Ewing -

Clerk of the said Court, that the claim of the plaintiff asserted in this suit is believed to be just; that he believes the plaintiff is entitled to or ought to recover \$67<sup>15</sup> with interest from Oct. 2, 1901, till paid.

at the least, and that he (the affiant) believes the defendant is a non-resident of the State of Va. removing or intend to remove and owns estate situated in Lee County Va. own estate or the proceeds of the sale of property or a material part of such estate or proceeds out of this State, so that process of execution on a judgment in this suit, when it is obtained, will be unavailing.

Given under my hand, as Clerk of the said Court, the day and year first above written.

H. C. L. Ewing, Clerk.



*J. O. Woodward*—

vs.

}

Affidavit for Attachment

vs.

Non-Resident.

*A. M. Ely Edithus*—

*[Handwritten mark]*



4/64/89  
Commonwealth of Virginia,

Orany Constable  
To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That of the goods and chattels of

M. Clerk \$3.71  
Fees 1.00  
Shff. 1.50  
att. 2.50  
Co. Clerk 2.5  
Ewing Clk. 58  
\$8.54

A. McEly

in your bailiwick, you cause to be made

One hundred and  
forty five dollars

with interest at the rate of six per centum per annum, from the 1<sup>st</sup> day of October

1882  
1904 until paid, which W<sup>m</sup> A. Crockett, Admr. of  
M. L. Ely, deceased

late in our Circuit Court of the County of Lee, has recovered against the said

A. McEly

, as well for a debt as interest

thereon; also (\$8.54) Eight dollars and fifty

four cents, which to the said W<sup>m</sup> A. Crockett Admr. the same

court were adjudged for his costs by him about his suit in that behalf

expended, whereof the said A. McEly is

convict as appears to us of record. And how you shall have executed this writ make

known at the rules to be holden in the clerk's office of our said Circuit Court

on the 1<sup>st</sup> Monday in Dec. next. And have then there this writ.

Witness, H. C. T. Ewing, Clerk of our said court, at the court-house, this 31  
day of October 1904, and in the 129 year of the Common-  
wealth.

H. C. T. Ewing Clerk.  
By M. E. Haudy D.C.



Executed Nov the 2-1904 by leaving the within Tr. Fa and  
Execution on one H years paid Sarah more The Property of  
A Mc Ely To Satisfy This Tr Fa and Execution in bonds  
for collection vs him in favor of Wm A Crockett admr  
of M. L. Ely Deceased. further Executed the day by leaving  
this Tr Fa and Execution on one field <sup>on the lands for a my Ely</sup> <sup>and the lands of A Mc Ely</sup>  
of A Mc Ely to Satisfy This Tr Fa and Execution in bonds  
for collection vs him in favor of Wm A Crockett  
admr of M. L. Ely Deceased D.B. Byington Constable  
Credit Nov 14-1904 cash \$800<sup>00</sup> and the above levy released by order  
of the attorney for said commission released by me and \$795<sup>00</sup> Paid  
to M. G. Ely atty. This Nov 15-1904, D.B. Byington C-L-C

E. B. No. 134 p. 134  
 vs. Wm A. Crockett Adams,  
 } FL. FA.  
 IN DEBT.  
A. Mc Elly,  
M. S. Elly p. q.  
 Come to hand Oct 31 -  
 1904, at 6 o'clock P. M.  
928  
1286  
 To 100 Rules, 1904  
See Circuit Court,  
Judge Lane Term, 1904  
 O. B. No. 4 p. 571

Dr. June 25 <sup>th</sup> 1890	\$6.20
" Dec. 25 <sup>th</sup> 1890	25.00
" July 6 <sup>th</sup> 1893	55.00
	<u>86.20</u>



Costs to May 7, 1905

Clerk	\$8.50
Shff	1.00
Atty.	15.00
Tax	1.50
Printer	6.40
	<u>\$32.42</u>
Estimated	2.50
	<u>\$34.92</u>

<sup>1905</sup>  
J. O. Woodward  
vs. Bill in Chancery  
A.M. Cely et al.

Bill filed Feb. 3, 1905  
H. T. Ewing,  
Clerk

1905, 1st Mar. Rules.  
Bill filed, J. O.  
with attachment  
endorsed levied &  
continued for O.P.  
" 2nd Mar. Rules -  
O.P. completed and  
cause set for hear-  
ing -

Order Final Sept.  
Term 1905.



J.O.Woodward,Plaintiff,

Against) In Chancery,

A.M.Ely, And others,Defendants,

This cause came on this day to be heard upon the papers formerl  
read in the cause,and was argued by Counsel:

On consideration of which,and it appearing to the Court that  
the debts and judgments sought to be collected in this cause has  
been paid in full,from statement of counsel for the plaintiff,the  
Court decrees that said cause be stricken from the docket.



J. O. Woodward,  
vs. E. E. Deane Funeral -  
A. M. Cady et al.

Entered in C.O.B. No. 8.  
page 69

Easter this

H. C. W. S. S. S.

Sept. 19<sup>th</sup> 1905



J.O. Woodward, Plaintiff.

Against ) In Chancery,

A.M.Ely and others, Defendants.

This cause came on this day to be heard upon the bill of complainant<sup>t</sup>, exhibits filed therewith, order of publication, posted and published against the Non-resident, and attachment duly executed by levying *on* the real estate of A.M.Ely, and was argued by counsel:

On consideration of which it is adjudged, ordered and decreed that said attachment, be sustained, said defendant failing to appear, *the bill is taken for confessed and the court decrees* and that the plaintiff recover of the defendant the sum of \$67.15 with interest from the October 2'1901 till paid ~~and~~ and the costs of this suit, and that the same be declared a second lien on the land in the bill described; and that Wm.A.Crockett administrator of M.L. Ely dec, recover of the defendant A. M.Ely, the sum of \$145. with ~~it~~ interest from the 1st'day of October 1889 till paid, and \$8.54 costs, subject to the following credits, June 25'1890, \$6.20; Dec.25'1890, \$25.00; July 6'1893, \$55.00; Nov.14'1904 \$100., the last recovery is ~~it~~ hereby declared the first lien on said land.

And the court doth further decree that unless said recoveries be paid within 30 days from the rising of this court then M.G.Ely who is hereby appointed a commissioner for the purpose, will advertise and sell the lands in the bill mentioned or a sufficiency thereof to pay said recoveries ~~and~~ and the costs of this suit, at the front door of the courthouse, after having advertised the same for 30 ~~days~~ by notices in the vicinity of said land and at the front door of the court house, said sale will be on a credit of 6 and 12 months except costs of suit and the commissions on the sale, which ~~he~~ will require to be paid cash in hand, and for the deferred payments take notes with good security; but before said commissioner performs the duties required of him by this decree, he will execute bond before the clerk of this court in the sum of \$200. conditioned according to law and report to court and the cause is continued.



J. O. Woodward.  
as. { scene.  
A. M. Cady & Co.

Entered in C. P. B.

No. 8 - 1/2. 5. 8.

Enter this:

$$\begin{array}{r} 1734.92 \\ \hline 17.46 \end{array}$$

H. A. W. Storing

May 24-1903-



LIS-PENDENS.

In the Circuit Court for the County of Lee.

J.O.Woodward, Plaintiff,

)Against, ) In Chancery.

A.M.Ely and Thos.S.Ely.Defendants.

The General object of the foregoing suit,now pending in the above named Court,under the style above given,and an attachment sued out thereon,is to attach the estate of A.M.Ely,in Lee County Va. in the following property to wit: A certain tract of land situated in Lee County Va,on the waters of Yellow branch,and is more particularly described in a deed executed by Thos.S.Ely on the 2'day of December 1904,and recorded in the County ~~of Lee~~ Clerk's office in Deed Book No.42,to which reference is made for a more particular description. And to subject the same to the payment of the sum of \$67.15 with interest thereon from the 2.day of Oct.1900 till paid.

Given under my hand this Feb.3'1905.

J.O.Woodward

Virginia, Lee County to wit:

I, H.C.T.Ewing, Clerk for Lee County, in the State of Virginia, do certify that J.O.Woodward whose name is signed to the foregoing writing bearing date Feb.3'1905, has acknowledged the same before me in my County aforesaid. Given under my hand this Feb.3rd'1905.

H.C.T.Ewing Clerk.

Virginia, Lee County, to-wit:

In the Clerk's Office of Lee County, on this the 3rd day of February, 1905. This the foregoing Lis Pendens was presented, and together with the certificate annexed, admitted to record.

Teste: H.C.T.Ewing Clerk.



J. A. Woodward

To.

A. M. Ely &

Thos S. Ely

                      
                    

Recorded in  
Deed Book 42  
page 365.

Examined Feb  
3, 1905. Indexed.

Clerk \$1.25-



\$145.00

On the first day of October 1888, I  
bind myself to pay Moses S. Ely  
the sum of one hundred and forty five  
dollars for value received of him  
witness my hand and seal this first  
~~of~~ the ninth of Feb. 1889.

A. M. Ely (seal)



June the 25 1890

Credit the within note with  
six dol. and 20 cents

Credit by cash \$25 Dec. 29, 1890.

Credit within by One Wagon \$55.00  
July 6<sup>th</sup> 1893.



In the Circuit Court of Lee County  
W<sup>m</sup> A. Crockett administrator <sup>with the will annexed</sup> of the estate  
of Moses L. Ely deceased, Plaintiff,  
complain of A. McEly defendant, who  
has been duly summoned to answer the  
plaintiff in this action, of a plea that he  
render to the said plaintiff the sum of  
\$145.<sup>00</sup> which he ~~owes to~~, and unjustly detains  
from, the said Plaintiff, And thereupon  
the plaintiff says that the said A. McEly on  
the 9<sup>th</sup> day of February 1889, by his certain  
writing obligatory sealed with his seal, and now  
here to the Court shown, the date whereof is  
the same day and year aforesaid promised and  
obliged himself to pay, by the first day of  
October 1889 thereafter, unto the said Moses L. Ely  
in his lifetime the said sum of one hundred  
and forty five dollars, above demanded  
and the plaintiff avers that the said A. McEly  
has not as yet paid the said sum of \$145.<sup>00</sup>  
above demanded, or any part thereof, to the said  
Moses L. Ely in his lifetime, or to the Plaintiff  
administrator as aforesaid, since the death of the  
said Moses L. Ely, but to pay the same, or any  
part thereof, to the said Moses L. Ely in his  
lifetime, or to the plaintiff, since his death, he  
has hitherto wholly refused and still does refuse  
to the damage of the plaintiff as administrator



as aforesaid \$745<sup>00</sup>; And therefore he brings  
his suit etc -

M. G. Ely p. q.



164

Wm A. Crockett adu  
vs. J. E. Declaration  
in Debt.

A. M. E. Ely Deft.

~~Bond for return~~  
1897 2nd May rules sum  
" 1st June rules taken  
the last Monday in  
May C. O. Conf.

June Term 1897. Judgt final  
See Order Book 4. Page 571-2

Plffs Costs

Clerk	3.71
Exp	1.00
Shff	.50
att	2.80
to clk	2.80
<hr/>	
	\$7.96



Southwest Virginian, }  
Jonesville Va. }

# The Commonwealth of Virginia,

To the Sheriff of the County of Lee Greeting:

We command you to summon *A. Mc Ely*

to appear at the Clerk's office of our Circuit Court of the County of Lee, at the court-house thereof, at the

Term to be holden for said court, on the *3rd* Monday in *May*, 189*7*, to answer

*W. A. Crockett* administrator with will annexed  
of *M. T. Ely* deceased.

*Debt for \$145.00* of a plea of

Damage *One hundred & forty five* Dollars. And have then there this writ.

Witness, A. B. MURSEY, Clerk of our said court, at the court-house, the *20th* day of  
*April* 189*7*, and in the 12*th* year of the Commonwealth.

*A. B. Mursey* Clerk.



W. A. Larockett admr

vs { Summons in action of

Debt  
A. Mc Ely

M. S. Ely

p. q.

2nd May Rules,

1897 Circuit Court.

Executed by delivering  
an office copy of  
the within summons  
to A. Mc Ely. this May  
17-1897. J. M. Weston S.S.  
for W. P. Weston S.G.C.



In the Clerk's Office of the Circuit Court of the County of  
Lee

J. O. Woodward

Plaintiff

against

A. Mc Ely et al

Defendant

This day J. O. Woodward personally appeared  
before me \_\_\_\_\_ Clerk of the said Court,  
and being duly sworn, made oath that A. Mc Ely

defendant in the said suit is not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 3 day of Feb. 1902.

H. T. Ewing, Clerk,



J. O. Woodward

vs.

}

AFFIDAVIT FOR ORDER

OF

PUBLICATION.

A. M. Eely ad litem

J. O. Woodward, p. q.



In the Clerk's Office of the Circuit Court of the County of  
Lee on the 3<sup>rd</sup> day of February 1915.

J. D. Woodward

Plaintiff

against

A. M. Ely and others

Defendant(s)

The object of this suit is to recover against the defendants the  
sum of \$67<sup>15</sup> with legal interest thereon from  
October 2<sup>nd</sup> 1901, till paid and the costs of this  
suit, and to subject to the payment thereof the  
land owned by A. M. Ely situated in Lee Coun-  
ty Va. on Yellow Branch, and in the bill describ-  
ed, which has been attached for the purpose.

And an affidavit having been made and filed that the defendant

A. M. Ely is  
not resident of the State of Virginia, it is ordered that he do appear here within 15 days  
after due publication hereof, and do what may be necessary to protect his interest in this suit. And  
it is further ordered that a copy hereof be published once a week for four weeks in the Louisville  
Star, and that a copy be posted at the front door of the court-house of this County  
as required by law on the first day of the next term of the Court.

A copy—Teste:

J. D. Woodward p. q.  
A. M. Ely

H. T. Ewing Clerk.



*J. O. Woodward*

vs.

ORDER OF  
PUBLICATION.

*A. M. Ely et al*

Virginia, Lee County, to-wit:

I, J. C. Ewing, County Clerk,  
for and in The County &  
State aforesaid, do certify  
That I posted a true copy  
of the within order of pub-  
lication at the front door  
of the Court-house on the  
3<sup>rd</sup> day of February, 1905.

Given under my hand this  
the 3<sup>rd</sup> day of February, 1905.

*J. C. Ewing, Clerk.*



$$\begin{array}{r} 145 \\ \underline{6.65} \\ 151.65 \end{array}$$

$$\begin{array}{r} 6.20 \\ \underline{145.45} \\ 103.2 \end{array}$$

$$\begin{array}{r} 436.35 \\ \underline{145.45} \\ 149.80 \end{array}$$

$$\begin{array}{r} 25 \\ \underline{124.80} \\ 115.15 \end{array}$$

$$\begin{array}{r} 12480 \\ \underline{62400} \\ 124800 \end{array}$$

$$\begin{array}{r} 124800 \\ \underline{10400} \\ 1885520 \end{array}$$

$$\begin{array}{r} 124.80 \\ \underline{143.65} \\ 55 \end{array}$$

$$\begin{array}{r} 55 \\ \underline{88.65} \\ 8.6813 \end{array}$$

$$\begin{array}{r} 8865 \\ \underline{8800} \\ 65 \end{array}$$

$$\begin{array}{r} 709055 \\ \underline{531990} \\ 60405 \end{array}$$

$$\begin{array}{r} 60405 \\ \underline{88.65} \\ 88.105 \end{array}$$

$$\begin{array}{r} 149.105 \\ \underline{95} \\ 54.105 \end{array}$$

46

$$\begin{array}{r} 145.1 \\ \underline{.046} \\ 870 \end{array}$$

$$\begin{array}{r} 580 \\ \underline{6.67-0} \end{array}$$

$$\begin{array}{r} 1515 \\ \underline{6} \end{array}$$

$$\begin{array}{r} 136 \\ \underline{681\frac{1}{3}} \end{array}$$

$$\begin{array}{r} 54.05 \\ \underline{.031} \\ 16215 \end{array}$$

$$\begin{array}{r} 2702 \\ \underline{18917} \\ 54.05 \end{array}$$

$$\begin{array}{r} 54.05 \\ \underline{55.94} \\ 8.54 \end{array}$$

$$\begin{array}{r} 64-48 \\ \underline{17.46} \\ 81-94 \end{array}$$



10.00  
25.00



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon A. M. Ely & Thos. S. Ely,

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1<sup>st</sup> Monday in March, 1902, to answer a bill in chancery exhibited against them in our said Court by J. O. Woodward

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 3<sup>d</sup> day of Feb., 1902, and 1 29 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

\_\_\_\_\_, Clerk.



Executed Feb. 3rd '1905, by levying the attachment endorsed hereon on the real estate owned by A.M.Ely, situated in Lee County Va. on the Yellow Branch, and being the same land conveyed to A.M.Ely by Thos.S.Ely, by deed bearing date Dec. 2 '1904, and recorded in the County Clerk's office in deed book No. 42, page 284, to which reference is here made for a more particular description, there being no tenant in the possession of said land, and not served on the defendant A.M.Ely he being a Non-resident.

*I am hereby D. S. for  
P.M. Ballard.*

<i>J. O. Woodward</i>	
VS	} SUBPOENA IN CHANCERY.
<i>A. M. Ely et al</i>	
<i>Woodward &amp; Ely</i> p. q	
To <i>1st Juch,</i>	Rules.
<i>Lee Circuit</i>	Court.
<i>1905-</i>	

The proper affidavit having been made and filed the officer executing this process will attach the real estate owned by A.M.Ely in Lee County Va. especially the real estate conveyed to him by his father Thos.S.Ely, by deed dated Dec. 2 '1904, and recorded in the County Clerk's office in Deed Book No. 42, to which reference is made for a more particular description, and hold the same subject to the future order of the Court. Given under my hand Feb. 3 '1905.

*W. J. Goring*  
Clerk.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon A. M. Ely & Thos S. Ely

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on  
the 1st Monday in March, 1905, to answer a bill in chancery exhibited against them  
in our said Court by J. L. Woodward

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 3  
day of Feb., 1905, and 1 29 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

H. C. T. Ewing, Clerk.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon A. M. Ely & Thos S. Ely

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on  
the 1st Monday in March, 1905, to answer a bill in chancery exhibited against them  
in our said Court by J. C. Woodward

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 3  
day of Feb, 1905, and 1 29 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

\_\_\_\_\_, Clerk.



The proper affidavit having been made and filed the officer executing this process will attach the real estate owned by A.M. Ely, in Lee County Virginia. especially the real estate conveyed to him by his Father, Thos. S. Ely, by deed dated Dec. 2' 1904, and recorded in the County Clerk's office in Deed Book No. 42, page 284, to which reference is made for a more particular description, and hold the same subject to the future order of the Court. Given under my hand Feb. 3' 1905.

W. H. Ewing, Clerk.

VS

SUBPOENA  
IN  
CHANCERY.

A. M. Ely et al

Woodward & Ely

p. 9

To 1st Mch Rules.

Lee Circuit Court.  
1905

## ORDER OF PUBLICATION

Virginia, in the Clerk's Office of the Circuit Court of the County of Lee, on the 3rd day of February, 1905.

J. O. WOODWARD, Plaintiff,

vs

A. M. ELY and others, Defendants.

The object of this suit is to recover against the defendants the sum of \$67.15 with legal interest thereon from October 2nd 1901, till paid and the costs of this suit, and to subject to the payment thereof the land owned by A. M. Ely situated in Lee County Virginia on Yellow Branch, and in the bill described, which has been attached for the purpose. And an affidavit having been made and filed that the defendant A. M. Ely is not a resident of the State of Virginia, it is ordered that he do appear here within 15 days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star, and that a copy be posted at the front door of the court-house of this County as required by law.

A copy—Teste:

H. C. T. EWING, Clerk.

J. O. WOODWARD and M. G. ELY p.q.



Aug-16-1901  
J. C. Boutcher  
in full from  
Mr. H. Ely  
has sent my

J. D. Woodward  
vs { In Chancery  
a. M. Ely



I, J. C. Boutcher, editor  
of The Jonesville Star, a weekly newspaper  
published in the county of Lee, state of Virginia,  
do hereby certify that the enclosed notice was  
published in said paper once a week for four  
successive weeks, commencing on the 9  
day of February 1901.

J. C. Boutcher, Editor.

FEE \$ 6.40